

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH - CENTRAL DIVISION

FILED  
DISTRICT COURT  
2008 SEP 15 P 4:44

1-800 CONTACTS, INC. a Delaware  
corporation,

Plaintiff,

v.

LENS.COM, INC. d/b/a as LENS.COM,  
JUSTLENS.COM and JUSTLENSES.COM,  
a Nevada corporation,

Defendant.

DISTRICT OF UTAH  
BY: \_\_\_\_\_  
DEPUTY CLERK

**ORDER**

Civ. No. 2:07cv00591

District Judge Dee Benson  
Magistrate Judge David Nuffer

The Court has considered Defendant Lens.com's Objections to Magistrate Judge's Decision and Order<sup>1</sup>, responsive filings submitted by the parties, and oral arguments presented by the parties.

IT IS HEREBY ORDERED that Defendant's Objection (Docket No. 34) filed June 17, 2008 is OVERRULED. The Court upholds and adopts the Magistrate Judge's decision and order (Docket No. 29) entered on June 2, 2008.

IT IS FURTHER ORDERED:

Defendant Lens.com and its counsel are sanctioned and warned against further obstructions and dilatory conduct. Plaintiff 1-800 Contacts may submit to this Court evidence of its "reasonable expenses incurred in the briefing and the oral argument associated with responding to Defendant's Objection, including attorney's fees" within ten (10) calendar days of

<sup>1</sup>Docket No. 34, filed June 17, 2008.

this order.

Dated this 14th day of September, 2008.

A handwritten signature in black ink that reads "Dee Benson". The signature is written in a cursive style with a horizontal line underneath the name.

Dee Benson  
United States District Judge